

LSM will “appeal...all the way up to the US Supreme Court” “Playing the ‘China Card’?”

Early in 2006 a Texas court threw out a \$136M lawsuit filed by Living Stream Ministry (LSM) against Harvest House, the publishers of the *Encyclopedia of Cults and New Religions*. Is LSM about to quit the courts? It doesn't look like it. One battle may have been lost, but the war continues. “*We are determined to continue this fight,*” says a recent statement¹. LSM has applied for a re-hearing before the same court. “*If they decline to hear it, we then will take it to the Texas Supreme Court,*” the statement says. They won't stop there either, “*If they choose not to hear it, we can then appeal to the US Supreme Court.*” LSM is facing an up-hill battle in the law courts. Nevertheless, they are in it for the long haul; “*If the case goes all the way up to the US Supreme Court and back to the lower court for trial, there could still be years of litigation ahead of us,*” LSM says.

The Christian Community takes a Negative View

LSM and Harvest House are both Christian publishers. In fact both belong to the Evangelical Christian Publishers Association (ECPA). So, why would LSM take their brothers (Harvest House and the book's authors) to court? LSM contends that their inclusion in the *Encyclopedia of Cults* libels them via accusations of criminal and abhorrent behavior it attributes to ‘cults.’ Yet, shouldn't Christians “turn the other cheek”? The Bible clearly admonishes believers not to sue each other in the law courts (1 Cor. 6:1-6). The wider Christian community sees this lawsuit as a violation of this Scriptural injunction. Consequently, they take a dim view of this practice. The influential periodical, *Christianity Today* (CT) says², “*the Local Church implicitly sabotages its argument—that it is a legitimate member of the body of Christ—when it treats fellow members as if they were not, by taking them to court.*” Moreover, CT adds, “*the Local Church also has a history of suing those who have portrayed it as a cult.*” Hence, we are portrayed as a “suing church.” So why is LSM engaged in a lawsuit?

Is LSM “cutting straight the word of the truth”?

LSM poses the question, “Is our appeal to the courts in accordance to the Scriptures?” Their answer contains a novel exposition which permits lawsuits under some conditions. They claim “*In First Corinthians chapter six, the Apostle Paul rebuked the practice of an individual believer bypassing the steps in Matthew 18 and, instead of first seeking Christian reconciliation (1 Cor. 6:1-6), taking another brother directly to the law court.*”³ Seemingly, lawsuits are OK once the steps of reconciliation in Matthew 18 have been tried! But hasn't this exposition changed the meaning of 1 Corinthians 6? Even Witness Lee says, Paul “*fully disagreed with brother going to law with brother, and that before unbelievers.*”⁴. Surely, one interpretation of Brother Lee's phrase “*fully disagreed*” would be “absolutely”, “under all circumstances” or “unconditionally.” In the light of this, a skeptic might ask, is LSM's exposition “*cutting straight the word of the truth*” (2 Tim. 2:15) or is it changing the meaning of 1 Cor. 6? We will not pause here to answer that question, since LSM bases its case for legal action, upon less familiar Scriptures – Paul's appeal to Caesar (Acts 25:11; 28:19)

Appealing to “Caesar”

In justifying their lawsuit, LSM frequently cites the precedent of Paul's appeal to Caesar. Hence LSM says⁵, "*We consider the appeal to the courts by Living Stream Ministry, The Local Church and the local churches to be similar to Paul's in Acts 25 - a necessary step for God's interests, to continue the ministry the Lord has entrusted to us.*"

Paul's Active Ministry vs Brother Lee's Legacy?

Does the Apostle Paul's appeal to Caesar in Acts 25 provide a Biblical basis for LSM's lawsuit? LSM says⁷, "*We believe that our appeal to the law courts ...is in the category of Paul's appeals in the book of Acts.*" They explain, "*Paul's appeal [was] ...to defend and preserve the existence of the ministry the Lord had given him.*" There is, however, a major difference between Paul's case and the current one. Paul's was aimed at preserving his life and hence his **active** ministry. The present case deals with **the legacy** of Brother Witness Lee, who passed away in 1997. We grant that Brother Lee had the right to defend his **active** ministry via the law courts, as he did against *The God-Men*¹⁰. However, this does not mean LSM's present lawsuit can also be justified based upon Paul's appeal to Caesar. Yes, Paul appealed to Caesar to prolong his active ministry. However, we find in the New Testament **no posthumous** "appeal to Caesar" to defend the legacy of Paul, nor of any other apostle. The question remains: **Does Acts 25 provide an adequate Scriptural basis for LSM's lawsuit to protect the legacy of Brother Lee's ministry?**⁸

The China Factor

Surprisingly LSM justifies continued litigation, **not** based upon Scriptural considerations, **but on China!** In answer to the question, "Why are we continuing in the present litigation?" we read⁹, "*Following the Texas [court's] decision ...the many house churches in China that follow our teaching and practices...[asked] how they could prepare for the new wave of persecution to come "now that we are a 'cult.'"*" A report is cited from "*Zhejiang province that government officials have approached our brothers to tell them that ...they have learned that a Texas court has now labeled them a cult.*" Local-church believers in China are being persecuted because the Texas court has labeled us a 'cult,' LSM says.

"Reckless, False and Evil Rumors" OR Accurate Assessment?

Previously, the "concerned brothers" commented on this case, saying, prior to the Texas decision, "In the 'court of public opinion' we could argue, 'The [*God-Man*] book, called us a cult; but the courts judged that claim to be false and libelous. This proves we're not a cult.' That argument is now undercut by the Texas Court's decision. The courts have rejected LSM and the churches' case. In the 'court of public opinion,' people can now respond, 'Yes, you are indeed a cult. You contested the inclusion of the local churches in the **Encyclopedia of Cults and New Religions**, and you lost!'"¹¹

Brother Dan Towle *et. al.* responded to our comments with a scathing critique. Under the title: "**The source of the false and evil rumors should be REJECTED,**" they say¹² "*The [concerned brothers'] article says that, because of the recent court loss, "people can now respond, 'Yes, you are indeed a cult.'"* Not even our opposers have presented the court's ruling in such a negative light!" They continue by saying, "*The [concerned brothers'] statement that we can now be freely labeled a "cult" is reckless.*"

When the "concerned brothers" raised the possibility that, due to the Texas decision, "*In the 'court of public opinion,' people can now respond, 'Yes, you are indeed a cult,'"*

Brother Dan Towle denounced this as a “reckless statement” and “false and evil rumors,” However, when justifying LSM continued litigation, Brother Dan writes: “many house churches in China ...[asked] how they could prepare for the new wave of persecution to come “now that we are a ‘cult.’” Moreover, “government officials have ...learned that a Texas court has now labeled them a cult.” Wait a minute! Doesn’t this repeat the statement he just denounced as “reckless” talk and “false and evil rumors”? When the “concerned brothers” raised this specter, Brother Dan says, “Not even our opposers have presented the court’s ruling in such a negative light!” Yet, he turns around and acknowledges that this is already occurring in China! Perhaps, Brother Dan Towle can tell us, **were the “concerned brothers” comments indeed, “reckless”, “false and evil rumors”** (as he claims) **OR were they an accurate assessment of the repercussions of the Texas court decision?** Brother Dan, you cannot have it both ways!

“Playing the ‘China Card’ ”

The interpretation of the Texas court’s decision – that it labels us a ‘cult’ -- is erroneous. That’s why our comments dealt with how the court’s decision might be “spun” in “the court of public opinion.” The Texas court **did not** “label the local churches as a ‘cult.’” The court ruled that this was a “religious question,” and hence outside its jurisdiction. Nevertheless, LSM’s point is that this judgment provides “ammunition” for the persecution of local-church believers in mainland China. Hence LSM says, they will seek to overturn the Texas court’s decision in order to “to spare other genuine believers [in China] from imprisonment.” This argument – “*the China card*” – is the main justification LSM offers for continuing its litigation. Does it make sense?

First, may we ask: Why was the “China factor” never mentioned before? We cannot recall any prior reference by LSM to China. Why has this “rabbit” now been produced out of the “magician’s hat”? Some of LSM’s leaders are very knowledgeable about the forces at play in mainland China. Before launching the original lawsuit against Harvest House wasn’t the impact on believers in China considered? Didn’t LSM realize that the law courts are a “two-edged sword” and that “those who take up the sword will perish by the sword” (Matt. 26:52, Rcv.)? The legal decision against “*The God-men*” was used (in the “court of public opinion”) to argue that we are not a ‘cult.’ But this argument “cuts both ways.” The recent Texas decision provides an equivalent basis for some to claim, “Yes, You are indeed a ‘cult!’” Had LSM never launched this lawsuit, no “legal ammunition” would have been provided to persecutors; Perhaps the book, *Encyclopedia of Cults*, would have already sunk into oblivion. Doesn’t responsibility for the present situation rest (at least in part) with LSM for initiating legal proceedings in the first place?

“*Witness Lee was the acting God*” – avoiding the ‘cult label’?

Second, how serious is LSM in fighting the ‘cult’ label? LSM expresses concern that the ‘cult label’ may cause persecution to believers elsewhere. Based upon this, one would expect LSM to exercise great care in this regard. Unfortunately recent history reveals otherwise. In the LSM 2005 Winter Training, Brother Ron Kangas declared from the podium¹³ that “*Witness Lee was the acting God*.” Unsympathetic observers will interpret this statement as “deifying Brother Lee,” thus fulfilling one characteristic of a “cult profile” – the exaltation and glorifying of the leader. Within days, Brother Ron’s statement was reported and posted on the world-wide web. Is this the caution one would expect from LSM leaders who are deeply

concerned about the impact of the ‘cult’ label on believers in China? Rather, it seems an LSM “blended co-worker” is willing to risk tarnishing all the saints and churches with the “cult” label in order to achieve a little “shock value” by declaring, “*Witness Lee was the acting God.*” We realize this speaking did not appear in print¹⁴. Yet damage has already been done to the saints and the local churches. Moreover, a sceptic may question, how serious are LSM’s “blended co-workers” about avoiding the ‘cult’ label “*to spare other genuine believers from imprisonment.*”? A cynic might even ask, is LSM’s declaration an expression of earnest concern for Chinese believers or is it merely public posturing?

Time to Quit this “High-stakes Game”?

We cannot change the past. However we can re-assess the merits of the next legal step: **Should the local churches support LSM’s appeal to the Texas Supreme Court and ultimately (perhaps) to the US Supreme Court?** Based upon the arguments presented by LSM, we wonder. May we ask, doesn’t further legal action “raise the stakes even higher”? Based upon LSM’s own reasoning, a legal victory, overturning the Texas court’s decision, will take away “ammunition” from those oppressing local-church believers in China. However, we cannot simply **assume** that LSM will win this case. Legal victory is far from certain. We cannot simply “hope for the best.” Should LSM suffer additional legal set-backs won’t these provide additional “ammunition” to the opposers? In that case, won’t this cause yet more suffering to local-church believers in China? Doesn’t further litigation simply “up the ante” in this “high stakes game”? Consider the “worst case scenario” -- a legal ruling by the **US Supreme Court** against LSM and the local churches. In that event (which we have no desire to see), Chinese government officials could say, “Even the **US Supreme Court**, the highest court in the land, has labeled you a cult.” Won’t this cause additional persecution and suffering to the saints in China? Considered in this light, it is not at all clear (at least to us) that further legal action is justified. Speaking for ourselves, we find LSM’s justification for continued litigation far from compelling. Moreover, LSM has admitted that¹⁵, “*there could still be years of litigation ahead of us.*” In the process (what is not mentioned), millions of dollars in legal fees would accrue to lawyers and law firms. Some cynics may even ask: Do the saints really want their church offerings used to finance more BMWs for lawyers? Aren’t US lawyers rich enough without our help? LSM’s recent declaration that they will “**appeal...all the way up to the US Supreme Court**” has greater rhetorical impact. Yet, perhaps we should consider a more prudent option: **Is it ‘time to call it quits’?**

“Concerned Brothers”

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NOTES:

1. Quotes in this paragraph from “**Why Are We Continuing in the Present Litigation?**” posted on both Contendingforthefaith.com and localchurch-vs-harvesthouse.org web-sites 27 Feb. 2006
2. “**Loose Cult Talk**” editorial in *Christianity Today*, March 2006, Vol. 50, No. 3, Page 27
3. Quote from “**Is our Appeal to the Courts in Accordance with Scripture?**” Contendingforthefaith.com web-site (emphasis added)
4. Witness Lee, *Life-study of 1 Corinthians*, Anaheim, CA, Living Stream Ministry, p. 330, emphasis added
5. “**Is our Appeal to the Courts in Accordance with Scripture?**” Contendingforthefaith.com web-site
6. “The Co-workers in the Lord’s Recovery,” *The Beliefs and Practices of the local churches*, Anaheim, CA, Living Stream Ministry, (1978) p. 15
7. “**Is our Appeal to the Courts in Accordance with Scripture?**” Contendingforthefaith.com web-site

8. For more discussion on this point, see “*The God-Men Case vs The Encyclopedia of Cults case—the Same or Different?*” on this site
9. Quotes from “**Why Are We Continuing in the Present Litigation?**” Contendingforthefaith.com and localchurch-vs-harvesthouse.org
10. Contendingforthefaith.com
11. See “**Texas Court Rules against LSM**” by “concerned brothers” (on this site). The quote appears as points 5 & 6 under the heading, “**What does this Legal Opinion mean?**”
12. The following quotes appear in “**Concerning Rumors spread about the Present Litigation by "Concerned Brothers"**” by Dan Towle, Bill Buntain & Dan Sady. They appear as point 6 with the heading: “**The source of the false and evil rumors should be REJECTED**” www.AFaithfulWord.org
13. Ron Kangas message on “The Work of the Divine Building, LSM 2005 Winter Training on *The Crystallization Study of The Building of God*, Anaheim, CA, December, 2005
14. The context of the statement was, under the heading: “**Needing to be One with the Wise Master Builder Who is the Acting God**”: “If we would do the work of the divine building, we must be one with the wise master builder, who is **the acting God**. ...The apostle Paul, ...surely was **the acting God**, representing Him....Thus, we believe that, in principle, in the Lord’s recovery our brother Lee was the wise master builder. If we want to do the work of building, we need to also be one with him. ” see *The Ministry*, magazine vol. 10, no. 1, Jan./Feb. 2006, Anaheim, CA, Living Stream Ministry, pp. 212-3 (emphasis added) In this context, the spoken message contained the statement: “**Witness Lee was the acting God.**” [That statement was omitted from the printed version]
15. Quote from “**Why Are We Continuing in the Present Litigation?**” posted on both Contendingforthefaith.com and localchurch-vs-harvesthouse.org